

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:17-CV-00228-KDB-DSC**

JERMI LITTLE,

Plaintiff,

v.

HANES INDUSTRIES,

Defendant.

ORDER


THIS MATTER is before the Court on Plaintiff's Motion for Reconsideration (Doc. No. 61). The Court has carefully considered this motion and heard oral argument on the motion from the parties' counsel during the Court's telephone conference with the parties on November 9, 2020. While the Court does not want to put a final resolution of this action off indefinitely and is disappointed in Plaintiff's counsel's failure to timely apprise the Court of the circumstances described in their two motions for continuances, it reluctantly finds, based on unique and extraordinary cause, that it must stay this action until such time as at least one of Plaintiff's lawyers is willing to participate in a trial (whether by jury or by the Court) notwithstanding the Covid-19 pandemic. Accordingly, the motion for reconsideration will be granted, and this action will be stayed until further notice based on a status report of Plaintiff's counsel, which must be filed no later than 90 days from the date of this Order. Further, upon the request of the parties, the Court will order the parties to participate in a Judicial Settlement Conference with the Honorable Magistrate Judge David S. Cayer. Judge Cayer shall schedule the date and set the procedure for the conference in his discretion.

NOW THEREFORE IT IS ORDERED THAT:

1. Plaintiff's Motion for Reconsideration (Doc. No.61) is GRANTED;
2. This action is STAYED until further order of the Court;
3. Plaintiff's Counsel is directed to provide the Court with a status report on their willingness to participate in a trial of this matter on or before 90 days from the date of this Order; and
4. The Parties are directed to participate in good faith in a Judicial Settlement Conference with the Honorable Magistrate Judge David S. Cayer, who will set the date and procedure for the conference.

SO ORDERED ADJUDGED AND DECREED.

Signed: November 10, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

